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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 GERALDO OJITO,

12 Petitioner,

13 vs.

14 KEN CLARK, warden,

Respondent.

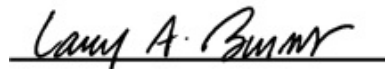
CASE NO. 09cv2127-LAB (JMA)

**ORDER DENYING CERTIFICATE
OF APPEALABILITY**

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16 The Court today issued an order denying Geraldo Ojito's petition for writ of habeas
17 corpus. The Court finds Petitioner has not made a substantial showing of the denial of a
18 constitutional right, and the standard for issuance of a certificate of appealability is not met.
19 See 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). The certificate
20 of appealability is therefore **DENIED**.
21

22 **IT IS SO ORDERED.**

23 DATED: October 6, 2011

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25 **HONORABLE LARRY ALAN BURNS**
26 United States District Judge
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